

### **REMARKS**

Applicant has reviewed and considered the Office action dated July 3, 2002, claims 1, 25, 28, 29, 45, 46 are amended, claim 24, 32, and 40 are canceled, new claims 47, and 48 are added without new matter. Reconsideration of the present application is respectfully requested.

Claims 25 and 29 have been rejected under 35 U.S.C. 112, second paragraph.

Claims 25 and 29 are amended.

Claims 1 and 29 have been rejected under 35 U.S.C. 102(b) as being anticipated by JP6-225651.

Claims 1 and 29 are amended. Claim 1 recited a self watering tray with support for direct supporting a regular plant pot, the support extends upward from the wall of the tray either side wall or bottom wall, or between the side and bottom wall without hollow, and all in one piece. JP6-225651 discloses three parts 81 extends from the bottom wall of the tray 8 for holding a pot support 7 (Figure 7). Clearly, the parts 81 extend from the bottom wall but do not direct support a pot, the parts 7 support a pot directly but do not extend upward from the bottom wall, and they are in two pieces. Obviously, claim 1 is patentable over JP6-225651, claim 29 is a dependent claim of claim 1, is patentable too.

Claims 25, 28, and 46 have been rejected under 35 U.S.C. 102(b) as being anticipated by Schmohl.

Claims 25, 28, and 46 are amended. Claim 25 recited a tray having different shape from a pot, and part of top of the side wall of the tray support a plant pot, as that, a plant pot sits on the top of the tray. Schmohl discloses a plant pot sits in a tray, and supported by the side wall of the tray, in other words, the plant pot does

not sits on the top of the tray. Gardner does not disclose a notch or a rod which disposed on the pot apparatus as claims 28 and 46 recited. Clearly, the tray claim 25 recited is completely different with Schmohl's invention. Obviously, claim 25 is patentable over Schmohl, claims 28 and 46 are dependent claims of claim 25, also patentable over Gardner.

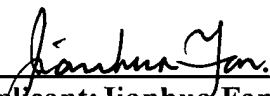
Claims 27, 44, and 45 have been rejected under 35 U.S.C. 102(2) as being anticipated by JP7-147851.

Claims 27, 44, 45 recited a tray with at least one leg, the at least one leg having two section and a shoulder between the up and low section for supporting a plant pot, the leg having both wicking and supporting functions. JP7-147851 discloses a plurality supports 7 and a wicking 6 ( Figure 1 ). Either supports 7 or wicking 6 without shoulder ( Figure 2-4 ), the supports having "support" function but without wicking function, and the wicking having "wick" function but without supporting function. Clearly, the present invention is different with JP7-147851. Obviously, claims 27, 44, and 45 are patentable over JP7-147851.

In view of the above, claims 1, 25, 27-29, and 44-48 are patentable over the cited references, therefore, Applicant respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

Respectfully submitted

5800 Maudina Ave.  
Apt. C-2  
Nashville, TN 37209

By:   
Applicant: Jianhua Fan  
Date: Oct. 2, 2002